

REMARKS

In the Office Action dated October 21, 2003, the drawing and specification were objected to; claims 1-3, 6-13, and 17-35 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,512,818 (Donovan); claims 4 and 5 were rejected under § 103 over Donovan in view of U.S. Patent No. 6,445,695 (Christie); and claim 36 was rejected under § 103 over Donovan alone.

Applicant acknowledges the indication that claims 14-16 contain allowable subject matter. Claim 14 has been amended from dependent form to independent form, with the scope of the claim remaining unchanged. Claim 14 (and its dependent claims 15 and 16) are thus in condition for allowance, as indicated by the Office Action.

Claims 1, 2, 7, 12, 13, 17, 19, 27, 33, and 34 have been cancelled without prejudice to filing the claims in a continuation application.

In a telephonic interview between the Examiner and the undersigned, on March 9, 2004, claims 18 and 22 were discussed. In the interview, the undersigned stated that Donovan does not teach that the first and second calls established with respective first and second devices are part of one call session, as recited in claim 18. Also, the undersigned stated that Donovan does not disclose a system that is able to perform tasks in three modes: a server mode, a client mode, and a proxy mode. No agreement regarding allowance of the claims was reached in the telephonic interview.

OBJECTIONS TO THE DRAWINGS AND SPECIFICATION

The title has been amended to address the objection to the title.

Fig. 1 has been amended to address the objections. In block 20 shown in Fig. 1, "CPCS" has been replaced with "CPC" to be consistent with the detailed description. An arrow, bearing reference numeral 9, is provided to illustrate a carrier wave that is communicated over a data network. The passage on page 14 has been amended to make reference to the carrier wave 9.

In view of the foregoing, it is respectfully submitted that the objections to the drawings have been overcome.

An explanation of the 183 In-Band Ringing message can be found in the original text on page 9, at lines 23-25. A brief explanation of the 180 Ringing message is also added in the same paragraph. No new matter has been added by this amendment.

In view of the foregoing, the objection to the specification has been addressed.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

With respect to the obviousness rejections of claims 4 and 5 over Donovan and Christie, it is noted that Christie is disqualified as prior art under § 103(c). The present application and Christie were owned by the same person (Nortel Networks Limited) at the time the invention was made. Therefore, withdrawal of the § 103 rejection over Donovan and Christie is respectfully requested.

Independent claims 1, 17, and 27 have been cancelled to render the rejection of those claims moot. New independent claims 37, 46, and 51 have been added.

Independent claim 37 recites receiving, by a system, a first call request from an originating device, and sending, by the system, messaging to a first destination device to establish a first call between the originating device and the first destination device to receive input from the originating device. Claim 37 further recites that the system sends messaging to a second destination device in response to the received input to establish a second call between the originating device and the second destination device. The subject matter of claim 37 is not disclosed by Donovan.

As shown in Figure 6 of Donovan, a voice response unit (VRU) receives an INV message from a call originator, and after exchanging data, the VRU sends another INV message to a call terminator. Thus, in Donovan, the VRU only sends one INV message to establish a call with the call terminator—the VRU does not send messaging to two destination devices to establish two calls, as recited in claim 37. Claim 37 is therefore allowable over Donovan.

Independent claims 46 and 51 are also allowable over Donovan for similar reasons as for claim 37.

Claim 18 has been amended from dependent form to independent form—the scope of the claim remains unchanged. Claim 18 recites that first and second calls established with first and second devices are part of one call session. The Office Action

pointed to the two call-legs referred to in Donovan as teaching the first and second calls. However, Applicant notes that the first and second call-legs described in Donovan are two separate call sessions, not one call session. In Figure 6 of Donovan, after the VRU exchanges data with the call originator and completes processing, the VRU sends a BYE VRU message to the call originator. Donovan, 8:19-29. As explained by Donovan itself, the BYE message indicates that a call should be released. Donovan, 8:4-5. Thus, based on the messaging depicted in Figure 6 of Donovan, the two call-legs referred to by Donovan are two separate call sessions, since the BYE message sent by the VRU to the call originator is an indication that the first call session between the VRU and the call originator is released.

Therefore, claim 18 is not disclosed by Donovan.

Independent claim 22 is not anticipated by Donovan. Note that claim 22 recites an article that comprises one or more media containing instructions that when executed cause a system to perform various acts in different modes (a server mode, a client mode, and a proxy mode). The Office Action did not provide an explanation of how the elements of claim 22 are anticipated by Donovan. In fact, it is respectfully noted that none of the network components disclosed in Donovan are capable of performing in a server mode, a client mode, *and* a proxy mode. The VRU 113 (*see* Figure 1), call originator 101, or call terminator 103 depicted in Donovan do not perform acts in these three different modes. Therefore, claim 22 is allowable over Donovan. Independent claim 31 is allowable over Donovan for reasons similar to those of claim 22.

Independent claim 32 has been amended, and as amended, is not disclosed by Donovan. Claim 32 recites a system having an interface to receive a call request from an originating device, and a controller to establish a call session between the originating device and a voice response device that is *separate* from the system. The controller also identifies one device from a group of devices based on further information received from the originating device in response to prompting from the voice response device, with the controller to further establish a call with the identified one device. A system having a controller as recited in claim 32, that is separate from a voice response device, is not disclosed by Donovan.



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All dependent claims, including newly added dependent claims 38-45, 47-50, and 52-57 are allowable over the cited references for at least the same reasons as corresponding independent claims.

Moreover, with respect to claim 36, which was rejected as being obvious over Donovan alone, the Office Action acknowledged that Donovan does not teach performing one-to-many translation to reach a group of devices. 10/21/2003 at 6. However, the Office Action stated that this feature would have been obvious. Applicant submits that there is no objective evidence regarding any motivation or suggestion to modify Donovan to perform the one-to-many translation as recited in the claims. If such a prior art reference exists, Applicant respectfully requests the production of such a reference. Absent the requisite objective evidence, the obviousness rejection of claim 36 over Donovan should be withdrawn.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0051US).

Respectfully submitted,

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Date:



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